

HOUSE BILL 761

By Hardaway

AN ACT to amend Tennessee Code Annotated, Title 41,
Chapter 4, relative to jail inspections.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 41-4-116(a), is amended by deleting the language "The county legislative body may," and substituting instead "The county legislative body shall,".

SECTION 2. Tennessee Code Annotated, Section 41-4-140(a)(3), is amended by deleting the subdivision and substituting instead the following:

Inspect all local jails, lock-ups, workhouses, and detention facilities at least once a year and present the written results of the inspections to the judiciary committee of the senate, the state and local government committee of the senate, the criminal justice committee of the house of representatives, and the local government committee of the house of representatives no later than March 1 of each year. Inspections shall be based on the established standards mentioned in subdivision (a)(1); and

SECTION 3. Tennessee Code Annotated, Section 41-4-140(a)(4), is amended by deleting the second sentence of the subdivision and substituting instead:

Failure on the part of the county, municipality, or political subdivision to maintain standards established under this section shall be reported by the board of control of the institute to the commissioner of correction, sheriff, judge, mayor or head of the political subdivision, state senator, and state representative, as appropriate, for the district in which the jail or penal institution is located.

SECTION 4. This act shall take effect July 1, 2017, the public welfare requiring it.